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Docket No. J&J 1825

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kutchan et al.

Serial No.: 09/937,665

Art Unit:

Filed

: September 26, 2001

Examiner:

For

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231 on

(Mate of Deposit)

John W. Harbour

(Name of applicant, assignee, or Registered Representative)

Commissioner for Patents Washington, D.C. 20231

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on September 26, 2001.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information  $\boxtimes$ Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with \( \square\$ the first or second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or  $\Box$ Please charge Deposit Account No. 10-/ the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth

in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or

an action that otherwise closes prosecution and that it is

accompanied by one of:

	Statement in Accordance with §1.97(e)
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Applicant(s) he	ereby petition(s) for consideration of this
Information Dis	sclosure Statement. Included are: Statement in
Accordance with	h §1.97(e) as set forth below and the fee of
\$180.00 as set	forth in §1.17(p).
	es of each of the references listed on the
attached Form	PTO-1449 are enclosed herewith.
∏ Copi	es of references listed on the attached Form PTO-
<del></del>	sed herewith EXCEPT THAT:
	Jed Herewren Emeli Han.
П	In view of the voluminous nature of references
_	[list as appropriate], and the likelihood that
	these references are available to the Examiner,
	copies are not enclosed herewith.
	If any of the foregoing publications are not
	available to the Examiner, Applicant will
	endeavor to supply copies at the Examiner's
	request.
	_
	e are no listed references which are not in the
English langua	ge.

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The relevance of those listed references which are not in the English language is as follows:
Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.
Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.
Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/J&J 1825/JWH. This form is submitted in triplicate.  Respectfully submitted,
John W. Harbour Reg. No. 31,365 Attorney for Applicants  Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2169 DATED: 12/18/07

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PTO/SB/08A (08-00) Approved for use through 10/31/2002. OMB 0651-0031

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 1 of 1

a collection of information unless it displays a	I valid OMB control number.
Application Number	09/937,665
Filing Date	September 26, 2001
First Named Inventor	Kutchan et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	J&J 1825

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner's Initials*	Cite No.1	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item  (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),  publisher, city and/or country where published	Τ²
		DECKER GABRIELE ET AL: "Characterization of proteins in latex of the opium poppy (Papaver somniferum) using two- dimensional gel electrophoresis and microsequencing." ELECTROPHORESIS, vol. 21, no. 16, October 2000 pages 3500- 3516. XP001087804	
		HUANG F-C ET AL: "Distribution of morphinan and benxo Cphenanthridine alkaloid gene transcript accumulation in Papaver somniferum" PHYTOCHEMISTRY, PERGAMON PRESS, GB, vol. 53, no. 5, 1 March 2000 pages 555-564, XP004291339	
		KUTCHAN TONI M: "Molecular genetics of plant alkaloid biosynthesis", Alkaloids (ACADEMIC PRESS) (1998), 50, 257-316 XP001069571	

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.

## SUBMISSION UNDER MPEP 609 D

Application Number 09/937,665

Filing Date September 26, 2001

First Named Inventor Kutchan et al.

Group Art Unit

Examiner Name

Attorney Docket Number J&J 1825

Page 1 of 1

U.S. PATENT DOCUMENTS

		U.S. FA	TENT DOCUMENTS		
	Cite	Name of Patentee or Applicant of Cited Document	U.S. Patent Docum		
Examiner Initials			Number	Kind Code <sup>2</sup> (if known)	Pages, Columns, Lines where relevant passages relevant figures appear
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FOREIGN PATENT DOCUMENTS

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		OTHER PRIOR ART - N					
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